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OUTCOME OF THE WORLD SUMMIT FOR SOCIAL DEVELOPMENT: DRAFT DECLARATION AND DRAFT PROGRAMME OF ACTION

Review of existing international commitments relevant to poverty, employment and social integration

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INTRODUCTION

1. Decision 1/5, adopted by the Preparatory Committee of the World Summit for Social Development during its first substantive session, calls for a review of existing international commitments by Member States, through international instruments (e.g., conventions and declarations, as well as other instruments) relevant to social development and the three core issues; this review should include procedures for monitoring and reporting.

2. Accordingly, the present document contains excerpts from treaties, declarations, recommendations, programmes of action, global targets, guiding principles, proclamations, strategies and other international instruments related to social development and the three core issues of the World Summit for Social Development.

I. BASIC PRINCIPLES

3. The basic principles underlying the World Summit for Social Development and the foundation for the commitments of States relating to its three core issues are to be found in the United Nations Charter:

(a) Paragraphs 2, 4 and 7 of its preamble state the determination of the Member States to "reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women ... to promote social progress and better standards of life in larger freedom" and "to employ international machinery for the promotion of the economic and social advancement of all peoples".

(b) Paragraphs 3 and 4 of Article 1 indicate, among the purposes of the Organization, the following: "to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction ..." and "to be a centre for harmonizing the actions of nations in the attainment of these common ends".

(c) Article 13, paragraph b, gives the General Assembly the responsibility of initiating studies and making recommendations for the purpose of "promoting international cooperation in the economic, social, cultural, educational and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction. ..."

(d) Articles 55-60 of the Charter, on international economic and social cooperation, also state United Nations responsibilities in those fields and indicate that all Members pledge themselves to joint and separate action in cooperation with the Organization for the achievement of those responsibilities. Article 57 stresses the necessary relationship among various specialized agencies and the United Nations. Finally, article 60 indicates the responsibility of the General Assembly and the Economic and Social Council in the discharge of their economic and social functions.

(e) Articles 62-66 describe the functions and powers of the Economic and Social Council. Highly relevant to the work of the Social Summit are articles 63, paragraph 2; 64, 65 and 66, paragraph 3, which respectively indicate that the Council "may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations", that it "may take appropriate steps to obtain regular reports from specialized agencies ... make arrangements with Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly", that it "may furnish information to the Security Council and shall assist the Security Council upon its request" and that "it may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies".

II. ENABLING ENVIRONMENT

A. Creating conditions for development

4. It is recognized "that the creation of conditions favourable to the development of peoples and individuals is the primary responsibility of their States". (Preamble of the Declaration on the Right to Development, adopted by the General Assembly in resolution 41/128 of December 1986)

5. "States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom." (Declaration on the Right to Development, art. 2, para. 3)

6. "We recognize that the nutritional well-being of all people is a precondition for the development of societies and that it should be a key objective of progress in human development. ... We recognize the fact that each government has the prime responsibility to protect and promote food security and the nutritional well-being of its people, especially the vulnerable groups. However, we also stress that such efforts of low-income countries should be supported by actions of the international community as a whole. Such actions should include an increase in official development assistance in order to reach the accepted United Nations target of 0.7 per cent of the GNP of developed countries as reiterated at the 1992 United Nations Conference on Environment and Development." (World Declaration on Nutrition, paras. 11 and 16; adopted by the International Conference on Nutrition on 11 December 1992)

7. "The major industrialized countries influence world economic growth and the international economic environment profoundly. They should continue their efforts to promote sustained growth and to narrow imbalances in a manner that can benefit other countries. ... In accordance with their legislation, development objectives and national priorities, developing countries should continue to work towards keeping control over inflationary tendencies, promoting

domestic savings, achieving favourable conditions for domestic and foreign investment, modernizing their economies and increasing their international competitiveness. However, economic policies should have as their ultimate objective the betterment of the human condition and the enhancement of the contribution of all persons to development. The full utilization of human resources and the recognition of human rights stimulate creativity, innovation and initiative." (Declaration on International Economic Cooperation; paras. 22 and 23; adopted by the General Assembly in resolution S-18/3 of 1 May 1990)

8. "The rapid expansion of national income and wealth and their equitable distribution among all members of society are fundamental to all social progress, and they should therefore be in the forefront of the preoccupations of every State and Government." (Declaration on Social Progress and Development, art. 7; proclaimed by the General Assembly in resolution 2542 (XXIV) of 11 December 1969)

9. "To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies." (Rio Declaration on Environment and Development, principle 8; adopted by the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992)

10. "Social progress and development are the common concerns of the international community, which shall supplement, by concerted international action, national efforts to raise the living standards of peoples." (Declaration on Social Progress and Development, art. 9)

11. "We acknowledge the importance of further liberalization and expansion of world trade, which would increase foreign exchange earnings and employment in developing countries. Compensatory measures will continue to be needed to protect adversely affected developing countries and vulnerable groups in medium and low-income countries from negative effects of structural adjustment programmes." (World Declaration on Nutrition; para. 17)

12. "Sustainable development must be achieved at every level of society. ... Governments, in cooperation with appropriate international and non-governmental organizations, should support a community-driven approach to sustainability, which would include, inter alia: ...

"(c) Promoting or establishing grass-roots mechanisms to allow for the sharing of experience and knowledge between communities;" (Agenda 21, para. 3.7; adopted by the United Nations Conference on Environment and Development)

13. "The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations." (Rio Declaration on Environment and Development, principle 3)

14. The following means and methods are required:

"(a) The laying down of economic growth rate targets for the developing countries within the United Nations policy for development, high enough to lead to a substantial acceleration of their rates of growth;

"(b) The provision of greater assistance on better terms; the implementation of the aid volume target of a minimum of 1 per cent of the gross national product at market prices of economically advanced countries; the general easing of the terms of lending to the developing countries through low interest rates on loans and long grace periods for the repayment of loans, and the assurance that the allocation of such loans will be based strictly on socio-economic criteria free of any political considerations;

"(c) The provision of technical, financial and material assistance, both bilateral and multilateral, to the fullest possible extent and on favourable terms, and improved co-ordination of international assistance for the achievement of the social objectives of national development plans;

"(d) The provision to the developing countries of technical, financial and material assistance and of favourable conditions to facilitate the direct exploitation of their national resources and natural wealth by those countries with a view to enabling the peoples of those countries to benefit fully from their national resources;

"(e) The expansion of international trade based on principles of equality and non-discrimination, the rectification of the position of developing countries in international trade by equitable terms of trade, a general non-reciprocal and non-discriminatory system of preferences for the exports of developing countries to the developed countries, the establishment and implementation of general and comprehensive commodity agreements, and the financing of reasonable buffer stocks by international institutions." (Declaration on Social Progress and Development, art. 23)

15. "Development should be human-centred and broadly based, offering equal opportunities to all people, both women and men, to participate fully and freely in economic, social, cultural and political activities. All countries should, therefore, broaden participation in the development process and ensure full utilization of human resources and potential. Respect for human rights, individually and as a group, as enshrined in the United Nations Charter and the Universal Declaration of Human Rights, constitutes a universal obligation and stimulates the creativity, innovation and initiative necessary for socio-economic development. Its fulfilment, along with the democratization and observance of the rule of law, is a part of the process of development. Each particular country may therefore freely determine its own ways of advancing towards this established objective. It also entails a realization that any progress in this direction should be encouraged and supported by the international community, through development cooperation efforts among development partners. It is important to promote measures aimed at increasing the motivation and the opportunities of all social and economic actors, public as well as private, to participate fully in the development process of the Least Developed Countries. ..." (Paris Declaration and Programme of Action for the Least Developed Countries for the 1990s; paras. 64 and 65; adopted by the Second United Nations Conference on Least Developed Countries, 3-14 September 1990)

16. "Existing disequilibria in international economic relations contribute to the exacerbation of racism and racial prejudice; all States should consequently endeavor to contribute to the restructuring of the international economy on a

more equitable basis." (Declaration on Race and Racial Prejudice, art. 9, para. 4; adopted and proclaimed by the General Conference on UNESCO at its twentieth session, on 27 November 1978)

B. Developing and least developed countries

17. "The special situation and needs of developing countries, particularly the least developed and those environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries." (Rio Declaration on Environment and Development, principle 6)

18. "... The least developed countries have structural problems which are unique in their nature and degree: they are therefore deserving of special international support. ... While the LDCs have the primary responsibility for their development, each development partner should contribute to the common objective fully, taking into account its capacities and weight in the world economy. ..." (Paris Declaration and Programme of Action for Least Developed Countries for the 1990s; paras. 2 and 4)

19. "Principle No. 1: Success depends on a shared responsibility and a strengthened partnership for the growth and development of LDCs. Principle No. 2: The least developed countries have the primary responsibility for the formulation and effective implementation of appropriate policies and priorities for their growth and development. Principle No. 3: The strengthened partnership for development necessitates adequate external support from the LDCs' development partners. Principle No. 4: Commitments undertaken should be measurable and sufficiently transparent to enable monitoring and assessment of the Programme of Action for the 1990s." (Paris Declaration and Programme of Action for Least Developed Countries for the 1990s)

20. "The World Conference on Human Rights reaffirms that least developed countries committed to the process of democratization and economic reforms, many of which are in Africa, should be supported by the international community in order to succeed in their transition to democracy and economic development." (Vienna Declaration of the World Conference on Human Rights, para. 9; adopted by the World Conference on Human Rights, 14-25 June 1993, Vienna)

C. Debt

21. "The World Conference on Human Rights calls upon the international community to make all efforts to help alleviate the external debt burden of developing countries, in order to supplement the efforts of the Governments of such countries to attain the full realization of the economic, social and cultural rights of their people." (Vienna Declaration of World Conference on Human Rights, para. 12)

22. "... Also, further renegotiation or alleviation of external debt could contribute in a substantive manner to the nutritional well-being in medium

income countries as well as in low-income ones." (World Declaration on Nutrition, para. 16)

III. INTERRELATIONS AMONG THE THREE CORE ISSUES

23. "The generation of employment and income through productive occupation is a major means of eradicating poverty since the absence of adequate income owing to landlessness or the lack of opportunities for work is a prime cause of poverty. ... The creation of employment and income through the activation of the informal sector of the economy and through the expansion of self-employment activities should also be an important part of policies to improve income and eradicate poverty." (International Development Strategy for the Fourth United Nations Development Decade, para. 81; adopted by the General Assembly in resolution 45/199 of 21 December 1990)

24. "Social welfare policy should be more clearly directed towards the root causes of poverty rather than its alleviation. It should be an integral element of a broad strategy of increasing employment and investment opportunities for both men and women, as well as the productivity of weaker segments of society. A central element in this strategy is productive employment." (Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, para. 27; adopted by the General Assembly in resolution 42/125 of 7 December 1987)

25. "An effective strategy for tackling the problems of poverty, development and environment simultaneously should begin by focusing on resources, production and people and should cover demographic issues, enhanced health care and education, the rights of women, the role of youth and of indigenous people and local communities and a demographic participation process in association with improved governance." (Agenda 21, para. 3.2)

26. "The provision of free health services to the whole population and of adequate preventive and curative facilities and welfare medical services accessible to all; the enactment and establishment of legislative measures and administrative regulations with a view to the implementation of comprehensive programmes of social security schemes and social welfare services and to the improvement and coordination of existing services ..." (Declaration on Social Progress and Development, art. 19 (a) and (b))

27. "The promotion of democratically based social and institutional reforms and motivation for change basic to the elimination of all forms of discrimination and exploitation and conducive to high rates of economic and social progress, to include land reform, in which the ownership and use of land will be made to serve best the objectives of social justice and economic development. (Declaration on Social Progress and Development, art. 18 (b))

28. "The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a

free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace. ..." (International Covenant on Economic, Social and Cultural Rights, art. 13; adopted and opened for signature, ratification and accession by the General Assembly in resolution 2200 A (XXI) of 16 December 1966)

IV. POVERTY

A. General considerations

29. "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. ..." (Universal Declaration of Human Rights, art. 25; adopted and proclaimed by the General Assembly in resolution 217 A (111) of 10 December 1948)

30. "The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free of hunger, shall take, individually and through international cooperation, the measures, including specific programmes, which are needed:

(a) To improve methods of production, conservation and distribution of food ...;

(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need." (International Covenant on Economic, Social and Cultural Rights, art. 11)

31. "The World Conference on Human Rights affirms that extreme poverty and social exclusion constitute a violation of human dignity and that urgent steps are necessary to achieve better knowledge of extreme poverty and its causes, including those related to the problem of development, in order to promote the human rights of the poorest people, and to put an end to extreme poverty and social exclusion and to promote the enjoyment of the fruits of social progress. It is essential for States to foster participation by the poorest people in the decision-making process by the community in which they live, the promotion of human rights and efforts to combat extreme poverty." (Vienna Declaration, para. 25)

32. "The international community, noting the severity of problems related to poverty in developing countries, agrees that the objective of eradicating

poverty is of the highest priority." (International Development Strategy for the Fourth United Nations Development Decade, para. 79)

33. "We strongly affirm the need to revitalize growth and development in the developing countries and to address together the problems of abject poverty and hunger that continue to afflict far too many people in the world. The international community has a responsibility to give strong support to the efforts of the developing countries to solve their grave economic and social problems through the creation of a favourable international economic environment." (Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, para. 2; adopted by the General Assembly in resolution S-18/3 of 1 May 1990)

34. "The existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights; its immediate alleviation and eventual elimination must remain a high priority for the international community." (Vienna Declaration of the World Conference on Human Rights, para. 14)

35. "Policies and programmes must be directed towards those most in need. Our priority should be to implement people-focused policies and programmes that increase access to and control of resources by the rural and urban poor, raise their productive capacity and incomes and strengthen their capacity to care for themselves. We must support and promote initiatives by people and communities and ensure that the poor participate in decisions that affect their lives." (World Declaration on Nutrition)

36. "World food security is a common responsibility of mankind. The ultimate objective is to ensure that all people at all times are in a position to produce or procure the basic food they need. Achievement of the "fundamental right of everyone to be free from hunger" depends ultimately on the abolition of poverty." (World Food Security Compact, chap. II, paras. 1 and 2; adopted by the FAO Conference in November 1985)

37. "The struggle against poverty is the shared responsibility of all countries. The eradication of poverty, as well as broad humanitarian and social goals, such as advancement in the quality of development, broad participation, larger choice, better opportunities for all men and women, need and should have the full support of the international community. ..." (International Development Strategy for the Fourth United Nations Development Decade; para. 86; proclaimed by the General Assembly in resolution 45/199 of 21 December 1990)

38. "... The eradication of poverty and hunger, greater equity in income distribution and human resource development remain major challenges everywhere. The struggle against poverty is the shared responsibility of all countries." (Agenda 21, para. 3.1)

39. "All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world." (Rio Declaration on Environment and Development, principle 5)

40. "Every man, woman and child has the inalienable right to be free from hunger and malnutrition in order to develop fully and maintain their physical and mental faculties. ... It is a fundamental responsibility of Governments to work together for higher food production and a more equitable and efficient distribution of food between countries and within countries. ... It is a responsibility of each State concerned, in accordance with its sovereign judgment and internal legislation, to remove the obstacles to food production and to provide proper incentives to agricultural producers. ... All States should strive to the utmost to readjust, where appropriate, their agricultural policies to give priority to food production, recognizing, in this connection the interrelationship between the world food problem and international trade." (Universal Declaration on the Eradication of Hunger and Malnutrition, paras. 1, 2, 4 and 11; adopted on 16 November 1974 by the World Food Conference and endorsed by the General Assembly in resolution 3348 (XXIX) of 17 December 1974)

41. "The existence of over seven hundred million illiterates throughout the world is an enormous obstacle to all efforts at realizing the aims and purposes of the Charter of the United Nations and the provisions of the Universal Declaration of Human Rights. International action aimed at eradicating illiteracy from the face of the earth and promoting education at all levels requires urgent attention;" (Proclamation of Teheran, art. 14; proclaimed by the International Conference on Human Rights, at Teheran on 13 May 1968)

B. Access to social services

42. "Governments, with the assistance of and in cooperation with appropriate international, non-governmental and local community organizations, should establish measures that will directly or indirectly: ...

"(q) Provide the poor with access to primary education." (Agenda 21, para. 3.8)

43. "Governments, with the assistance of and in cooperation with appropriate international, non-governmental and local community organizations, should establish measures that will directly or indirectly: ...

"(p) Provide the poor with access to fresh water and sanitation; ..." (Agenda 21, para. 3.8)

44. "Everyone has the right to education. ... Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. ..." (Universal Declaration of Human Rights, art. 26)

45. "The States Parties ... undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular:

"(a) To make primary education free and compulsory; make secondary education in its different forms available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law;

"(b) To ensure that the standards of education are equivalent in all public education institutions of the same level ...;

"(c) To encourage and intensify by appropriate methods the education of persons who have not received any primary education or who have not completed the entire primary education and the continuation of their education on the basis of individual capacity;

"(d) To provide training for the teaching profession without discrimination." (Convention against Discrimination in Education, art. 4; adopted on 14 December 1960 by the General Conference of UNESCO)

46. "(c) Raising the general level of education; development and expansion of national information media, and their rational and full use towards continuing education of the whole population and towards encouraging its participation in social development activities ..." (Declaration on Social Progress and Development, art. 21)

47. "Governments, with the assistance of and in cooperation with appropriate international, non-governmental and local community organizations, should establish measures that will directly or indirectly: ...

"(e) Set up an effective primary health care and maternal health care system accessible to all; ... (Agenda 21, para. 3.8)

C. Alleviation and reduction of poverty among women and children

48. "Women and children are a particular vulnerable group in situations of poverty. Policies and measures for poverty eradication should have a particular focus on their needs and give special attention to maternal and child health care and to nutrition. ..." (International Development Strategy for the Fourth United Nations Development Decade, para. 83)

49. "Governments, non-governmental organizations and all concerned have a special responsibility to the most vulnerable among the elderly, particularly the poor, of whom many are women and from rural areas ..." (Vienna International Plan of Action on Ageing, para. 25 (m))

50. "Governments, with the assistance of and in cooperation with appropriate international, non-governmental and local community organizations, should establish measures that would directly or indirectly ...

"(f) Consider strengthening/developing legal frameworks for land management, access to land resources and land ownership - in particular, for women - and for the protection of tenants ..." (Agenda 21, para. 3.8)

51. "There is often considerable potential for improving the contribution of women to agricultural progress. In most developing countries, women form an important part of the active farming population and of the agricultural labour force. Policies and measures to increase their productivity and involve them more in key decisions should raise their contribution to output and their incomes." (International Development Strategy for the Fourth United Nations Development Decade; para. 76)

52. "Governments should take active steps to implement the following: ...

"(g) Programmes to establish rural banking systems with a view to facilitating and increasing rural women's access to credit and to agricultural inputs and implements ..." (Agenda 21, para. 24.3)

D. Social security

53. "Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality." (Universal Declaration of Human Rights, art. 22)

54. "The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance." (International Covenant on Economic, Social and Cultural Rights, art. 9, para. 7)

55. "We fully recognize the importance of the family unit in providing adequate food, nutrition and a proper caring environment to meet the physical, mental, emotional and social needs of children and other vulnerable groups, including the elderly. In circumstances where the family unit can no longer fulfill these responsibilities adequately, the community and/or government should offer a support network to the vulnerable. We, therefore, undertake to strengthen and promote the family unit as the basic unit of society." (World Declaration on Nutrition, paras. 11 and 16)

56. "States are responsible for the provision of social security and income maintenance for persons with disabilities." (Standard Rules on the Equalization of Opportunities for Disabled Persons, rule 8; adopted by the General Assembly in resolution 48/96 of 20 December 1992)

57. "Establish, strengthen and implement schemes or strategies to provide income security for all older persons at levels appropriate to the national economic and social infrastructure." ("Global targets on ageing for the year 2001" (A/47/339, chap. IV., sect. G.2), adopted by the General Assembly in resolution 47/86 of 16 December 1991)

58. "Enact legislation to ensure equitable access for older persons to social welfare services." ("Global targets on ageing for the year 2001" (A/47/339, chap. IV., sect. F.1)

V. EMPLOYMENT

A. General considerations

59. "Social progress and development require the participation of all members of society in productive and socially useful labour and the establishment, in conformity with human rights and fundamental freedoms and with the principles of justice and the social function of property, of forms of ownership of land and of means of production which preclude any kind of exploitation of man, ensure equal rights to property for all and create conditions leading to genuine equality among people." (Declaration on Social Progress and Development, art. 6)

60. "Considering that the Declaration of Philadelphia recognizes the solemn obligation of the International Labour Organization to further among the nations of the world programmes which will achieve full employment and the raising of standards of living, and that the Preamble to the Constitution of the International Labour Organization provides for the prevention of unemployment and the provision of an adequate living wage, and considering further that under the terms of the Declaration of Philadelphia it is the responsibility of the International Labour Organization to examine and consider the nearing of economic and financial policies upon employment policy in the light of the fundamental objective that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity ..." (Preamble of Convention No. 122 concerning Employment Policy; adopted on 9 July 1964 by the General Conference of the ILO at its fortieth session)

61. "Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment." (Universal Declaration of Human Rights, art. 23, para. 1)

62. "The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right." (International Covenant on Economic, Social and Cultural Rights, art. 6, para. 1)

63. "Each Member shall declare as a priority objective a policy designed to promote full, productive and freely chosen employment by all appropriate means, including social security. Such means should include, inter alia, employment services, vocational training and vocational guidance." (Convention No. 168 concerning Employment Promotion and Protection against Unemployment, art. 7; adopted on 21 June 1988 by the General Conference of the ILO at its seventy-fifth session)

64. "With a view to stimulating economic growth and development, raising levels of living, meeting manpower requirements and overcoming unemployment and under-employment, each member shall declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment. ... The said policy shall aim at ensuring that:

"(a) There is work for all who are available for and seeking work;

"(b) Such work is as productive as possible;

"(c) There is freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction or social origin.
The said policy shall take due account of the stage and level of economic development and the mutual relationships between employment objectives and other economic and social objectives, and shall be pursued by methods that are appropriate to national conditions and practices." (Convention No. 122 concerning Employment Policy, art. 1, paras. 1, 2 and 3)

65. "Governments, with the assistance of and in cooperation with appropriate international, non-governmental and local community organizations, should establish measures that will directly or indirectly: ...

(a) Generate remunerative employment and productive occupational opportunities compatible with country-specific factor endowments, on a scale sufficient to take care of prospective increases in the labour force and to cover backlogs ..." (Agenda 21, para. 3.8)

66. "Social development requires the assurance to everyone of the right to work and the free choice of employment. ... (Declaration on Social Progress and Development, art. 6)

67. "Everyone, without any discrimination, has the right to equal pay for equal work. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection." (Universal Declaration of Human Rights, art. 23)

B. Rights of workers

68. "The States Parties ... recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

"(a) Remuneration, which provides all workers, as a minimum, with ...

"(i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;

"(ii) A decent living for themselves and their families ...;

"(b) Safe and healthy working conditions;

"(c) Equal opportunity ... to be promoted ... subject to no consideration other than seniority and competence;

"(d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays." (International Covenant on Economic, Social and Cultural Rights, art. 7)

69. "Everyone has the right to form and to join trade unions for the protection of his interests." (Universal Declaration of Human Rights, art. 23)

70. "The States Parties ... undertake to ensure:

"(a) The right of everyone to form trade unions and join the trade unions of his choice, ...

"(b) The right of trade unions to establish national federations or confederations ... to form or join international trade-union organizations;

"(c) The right of trade unions to function freely subject to no limitations other than those prescribed by law ...;

"(d) The right to strike, provided that it is exercised in conformity with the laws of the particular country." (International Covenant on Economic, Social and Cultural Rights, art. 8)

71. "Machinery appropriate to national conditions shall be established, where necessary, for the purpose of ensuring respect for the right to organize ..." (Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, art. 2; adopted on 1 July 1949 by the General Conference of the ILO at its thirty-second session)

72. "... (a) The provision of full democratic freedoms to trade unions; freedom of association for all workers, including the right to bargain collectively and to strike, recognition of the right to form other organizations of working people; the provision for the growing participation of trade unions in economic and social development; effective participation of all members in trade unions in the deciding of economic and social issues which affect their interests; ... (Declaration on Social Progress and Development, art. 20)

73. "Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote full development and utilization of machinery for voluntary negotiation between employers or employers' organizations and workers' organizations, with a view to the regulation of terms and conditions of employment by means of collective agreements." (Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively, art. 4)

74. "Each member for which this Convention is in force undertakes to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof." (Convention No. 111 concerning Discrimination in respect of Employment and Occupation, art. 2; adopted on 25 June 1958 by the General Conference of the ILO at its forty-second session)

75. "In the application of this Convention (on Employment Policy), representatives of the persons affected by the measures to be taken, and in particular representatives of employers and workers, shall be consulted concerning employment policies, with a view to taking fully into account their experience and views and securing their full cooperation in formulating and enlisting support for such policies." (Convention No. 122 concerning Employment Policy, art. 3)

76. "Joint (employer/worker) or tripartite (employer/worker/Government) collaborative mechanisms at the work place, community and national levels should be established to deal with safety, health and environment, including special reference to the rights and status of women in the workplace. ... Governments and employers should ensure that workers and their representatives are provided with all relevant information to enable effective participation in these decision-making processes." (Agenda 21, paras. 29.7 and 29.8)

77. "Migrant workers shall enjoy treatment not less favourable than that which applies to nationals of the State of employment in respect of remuneration and:

(a) Other conditions of work, that is to say, overtime, hours of work, weekly rest, holidays with pay, safety, health, termination of the employment relationship and any other conditions of work which, according to national law and practice, are covered by these terms;

(b) Other terms of employment, that is to say, minimum age of employment, restriction on home work and any other matters which, according to national law and practice, are considered a term of employment.

2. It shall not be lawful to derogate in private contracts of employment from the principle of equality of treatment referred to in paragraph 1 of the present article.

3. States Parties shall take all appropriate measures to ensure that migrant workers are not deprived of any rights derived from this principle by reason of any irregularity in their stay or employment. In particular, employers shall not be relieved of any legal or contractual obligations, nor shall their obligations be limited in any manner by reason of such irregularity." (International Convention on the Protection of Rights of Migrant Workers and their Families, art. 25; adopted by the General Assembly in resolution 45/158 of 18 December 1990 (not in force))

78. "In the light of ILO Convention No. 157 concerning maintenance of social security rights, measures should be taken, particularly through bilateral or multilateral conventions, to guarantee to legitimate migrant workers full social coverage in the receiving country as well as maintenance of social security rights acquired, especially regarding pensions, if they return to their country of origin. Similarly, migrant workers returning to their countries should be afforded special conditions facilitating their reintegration, particularly with regard to housing." (Vienna International Plan of Action on Ageing, recommendation 42)

C. Promoting equality in employment for women

79. "Governments should take active steps to implement the following: ...

(f) Programmes to support and strengthen equal employment opportunities and equitable remuneration for women in the formal and informal sectors with adequate economic, political and social support systems and services, including child care, particularly day-care facilities and parental leave, and equal access to credit, land and other natural resources;" (Agenda 21, para. 24.3)

80. "States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

"(a) The right to work as an inalienable right of all human beings;

"(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

"(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

"(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

"(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

"(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

"In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

"(a) To prohibit, subject to the impositions of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

"(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

"(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibility and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

"(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them." (Convention on the Elimination of All Forms of Discrimination against Women, art. 11, paras. 1 and 2; adopted by the General Assembly in resolution 34/180 of 18 December 1979)

D. Improving employment opportunities for vulnerable groups

81. "Social welfare needs to concentrate on helping young people to find meaningful work and become self-supporting and on assisting people with special problems, such as older or disabled workers, single parents, minorities, those without skills or former addicts or offenders, to find and keep jobs and to increase their earning capacity. Programmes need to assist these groups to gain access to employment, as well as to combat prejudice and discrimination within society. ..." (Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future)

82. "Each Member shall endeavour to establish, subject to national law and practice, special programmes to promote additional job opportunities and employment assistance and to encourage freely chosen and productive employment for identified categories of disadvantaged persons having or liable to have difficulties in finding lasting employment such as women, young workers, disabled persons, older workers, the long-term unemployed, migrant workers lawfully resident in the country and workers affected by structural change." (Convention concerning Employment Promotion and Protection against Unemployment, art. 8, para. 1; adopted on 21 June 1988 by the General Conference of the ILO at its seventy-fifth session)

1. Children and youth

83. "States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development." (Convention on the Rights of the Child, art. 32, para. 1; adopted and opened for signature, ratification and accession by the General Assembly, resolution 44/25 of 20 November 1989) "The child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development." (Convention on the Rights of the Child; principle 9; proclaimed by the General Assembly in resolution 44/25 (XIV) of 20 November 1989)

84. "States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

"(a) Provide for a minimum age or minimum ages for admission to employment;

"(b) Provide for appropriate regulation of the hours and conditions of employment;

"(c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article." (Convention on the Rights of the Child; art. 32, para. 2)

85. "Governments, according to their strategies, should take measures to: ...

"(e) In cooperation with relevant ministries and organizations, including representatives of youth, develop and implement strategies for creating alternative employment opportunities and provide required training to young men and women ..." (Agenda 21, para. 25.9)

2. Older people

86. "Older persons should have the opportunity to work or to have access to other income-generating opportunities." (United Nations Principles for Older Persons, para. 2; adopted by the General Assembly in resolution 46/91 of 16 December 1991)

87. "Governments should facilitate the participation of older persons in the economic life of the society. For that purpose:

"(a) Appropriate measures should be taken, in collaboration with employers' and workers' organizations, to ensure to the maximum extent possible that older workers can continue to work under satisfactory conditions and enjoy security of employment;

"(b) Governments should eliminate discrimination in the labour market and ensure equality of treatment in professional life. Negative stereotypes about older workers exist among some employers. Governments should take steps to educate employers and employment counsellors about the capabilities of older workers, which remain quite high in most occupations. Older workers should also enjoy equal access to orientation, training and placement facilities and services;

"(c) Measures should be taken to assist older persons to find or return to independent employment by creating new employment possibilities and facilitating training or retraining. The right of older workers to employment should be based on ability to perform the work rather than chronological age;

"(d) Despite the significant unemployment problems facing many nations, in particular with regard to young people, the retirement age for employees should not be lowered except on a voluntary basis." (International Plan of Action on Ageing, recommendation 37)

3. Disabled persons

88. "States should recognize the principle that persons with disabilities must be empowered to exercise their human rights, particularly in the field of employment. In both rural and urban areas they must have equal opportunities for productive and gainful employment in the labour market." (Standard Rules on the Equalization of Opportunities for Disabled Persons, Rule 7)

89. "Member States should adopt a policy and supporting structure of services to ensure that disabled persons in both urban and rural areas have equal opportunities for productive and gainful employment in the open labour market. ..." (World Programme of Action concerning Disabled Persons, para. 128; adopted by the General Assembly in resolution 37/52 of 3 December 1982)

4. Persons affected by war

90. "Protected persons who, as a result of the war, have lost their gainful employment, shall be granted the opportunity to find paid employment ... equal to that enjoyed by the nationals of the power in whose territory they are. ..." (Geneva Convention relative to the Protection of Civilian Persons in Time of War, art. 39; adopted on 12 August 1949 by the Diplomatic Conference for the Establishments of International Conventions for the Protection of Victims of War, held in Geneva from 21 April to 12 August 1949)

E. Pursuing new approaches to work and employment

91. "Older persons should be able to seek and develop opportunities for service to the community and to serve as volunteers in positions appropriate to their interests and capabilities." (United Nations Principles for Older Persons, para. 8)

92. "Establish a global network of senior volunteers for social and economic development." "(Global targets on ageing for the year 2001" (A/47/339, chap. III, Global target No. 6) adopted by the General Assembly in resolution 47/86 of 16 December 1992)

93. "Governments should endeavour to reduce or eliminate fiscal or other constraints on informal and voluntary activities, and eliminate or relax regulations which hinder or discourage part-time work, mutual self-help and the use of volunteers alongside professional staff in providing social services or in institutions for the elderly." (Vienna International Plan of Action on Ageing, recommendation 33)

F. Social security and employment services

94. "Each Member shall take appropriate steps to coordinate its system of protection against unemployment and its employment policy. To this end, it shall seek to ensure that its system of protection against unemployment, and in

particular the methods of providing unemployment benefit, contribute to the promotion of full, productive and freely chosen employment, and are not such as to discourage employers from offering and workers from seeking productive employment." (Convention No. 168 concerning Employment Promotion and Protection against Unemployment, art. 2)

95. States, according to the Employment Service Convention (No. 88), should create and maintain a free public employment service, with the task of ensuring the best possible organization of the employment market as an integral part of the national programme for the achievement and maintenance of full employment and the development and use of productive resources. The Convention on Termination of Employment (No. 158) aims to secure protection against termination of employment without a valid reason. There are exceptions to this principle but in any case, every worker is entitled to a compensation. One of the most recent Conventions (Protection of Workers' Claims (No. 173)) deals with protection of workers' claims in the event of insolvency of their employer.

96. "Large business and industry, including transnational corporations, should consider establishing partnership schemes with small and medium-sized enterprises to help facilitate the exchange of experience in managerial skills, market development and technological know-how, where appropriate, with the assistance of international organizations. Business and industry should establish national councils for sustainable development and help promote entrepreneurship in the formal and informal sectors. The inclusion of women entrepreneurs should be facilitated. ... Multilateral and bilateral financial aid institutions should continue to encourage and support small- and medium-scale entrepreneurs engaged in sustainable development activities. ..." (Agenda 21, paras. 30.23, 30.24 and 30.27)

97. "... Entrepreneurship should be encouraged at all levels for the setting up of industries. There is usually a strong potential for the development of medium- and small-scale industries that could also contribute to enlarging both urban and rural employment opportunities. ..." (International Development Strategy for the Fourth United Nations Development Decade, para. 65)

VI. SOCIAL INTEGRATION

A. Human dignity and solidarity

98. "All human beings belong to a single species and are descended from a common stock. They are born equal in dignity and rights and all form an integral part of humanity. ..." (Declaration on Race and Racial Prejudice, art. 1; adopted and proclaimed by the General Conference of UNESCO at its twentieth session, on 27 November 1978)

99. "All peoples and all human beings, without distinction as to race, colour, sex, language, religion, nationality, ethnic origin, family or social status, or political or other conviction, shall have the right to live in dignity and freedom and to enjoy the fruits of social progress and should, on their part, contribute to it." (Declaration on Social Progress and Development, art. 1)

100. "Individuals, being entitled to an economic, social, cultural and legal order, on the national and international planes, such as to allow them to exercise all their capabilities on a basis of entire equality of rights and opportunities, have corresponding duties towards their fellows, towards the society in which they live and towards the international community. ..." (Declaration on Race and Racial Prejudice, art. 8, para. 1)

101. "Social cohesion may be strengthened by the introduction of national minima of social protection and support appropriate to the prevailing condition and level of resources. Those would aim at protecting individuals from losing what they had gained by productive work and support the most disadvantaged or vulnerable. Such minima should be framed within the context of a long-term vision and commitment to their gradual improvement; ..." (Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future; adopted by the Interregional Consultation on Developmental Social Welfare Policies and Programmes, held in Vienna, 7-15 September 1987, and endorsed by the General Assembly in resolution 42/125 of 7 December 1987)

B. The family

102. "The States Parties to the present Covenant recognize that:

1. The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society ..." (International Covenant on Economic, Social and Cultural Rights, art. 10)

103. "The family is the natural and fundamental group unit of society and is entitled to protection by society and State. ..." (International Covenant on Civil and Political Rights, art. 23; adopted and opened for signature, ratification and accession by the General Assembly in resolution 2200 A (XXI) of 16 December 1966)

104. "Every State should give high priority to family and child welfare. (Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally, art. 1; adopted by the General Assembly in resolution 41/85 of 3 December 1986)

105. "The family as a basic unit of society and the natural environment for the growth and well-being of all its members, particularly children and youth, should be assisted and protected so that it may assume its responsibilities within the community. Parents have the exclusive right to determine freely and responsibly the number and spacing of their children." (Declaration on Social Progress and Development, art. 4; proclaimed by the General Assembly in resolution 2542 (XXIV) of 11 December 1969)

106. "(a) The development and co-ordination of policies and measures designed to strengthen the essential functions of the family as a basic unit of society; (b) The formulation and establishment, as needed, of programmes in the field of population, within the framework of national demographic policies and as part of

the welfare medical services, including education, training of personnel and the provision to families of the knowledge and means necessary to enable them to exercise their right to determine freely and responsibly the number and spacing of their children; ..." (Declaration on Social Progress and Development, art. 22; proclaimed by the General Assembly in resolution 2542 (XXIV) of 11 December 1969)

107. "Greater recognition of the socially disruptive effects of weakening family links and of the increased rate of family breakups calls for greater emphasis on programmes to strengthen families as well as better integration of the different services designed to meet both the common and the varying needs of children, young people, the aged and the disabled. ..." (Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, para. 14)

108. "Family violence is a serious and complex problem in many countries, affecting in particular women and children. It is essential to provide immediate protection and assistance to those who are abused and to develop prevention programmes. ..." (Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, para. 17)

109. "States Parties, recognizing that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, shall take appropriate measures to ensure the protection of the unity of the families of migrant workers. ..." (International Convention on the Protection of Rights of Migrant Workers and their Families, art. 44, para. 1)

110. "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." (Universal Declaration of Human Rights, art. 19)

111. "Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. ..." (International Covenant on Civil and Political Rights, art. 19)

112. "Everyone shall have freedom to have a religion or whatever belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching." (Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, art. 1; proclaimed by the General Assembly in resolution 36/55 of 25 November 1981)

C. Elimination of all forms of discrimination

113. "Considering that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in

theory or in practice." (Preamble of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, para. 5; proclaimed by the General Assembly in resolution 1904 (XVIII) of 20 November 1963)

114. "Any theory which involves the claim that racial or ethnic groups are inherently superior or inferior, thus implying that some would be entitled to dominate or eliminate others, presumed to be inferior, or which bases value judgments on racial differentiation, has no scientific foundation and is contrary to the moral and ethical principles of humanity. ..." (Declaration on Race and Racial Prejudice, art. 2, para. 1)

115. "Discrimination between human beings on the ground of race, colour or ethnic origin is an offense to human dignity and shall be condemned as a denial of the principles of the Charter of the United Nations, as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights, as an obstacle to friendly and peaceful relations among nations and as a fact capable of disturbing peace and security among peoples." (United Nations Declaration on the Elimination of All Forms of Racial Discrimination, art. 1)

116. "Respect for human rights and for fundamental freedoms without discrimination of any kind is a fundamental rule of international human rights law. The speedy and comprehensive elimination of all forms of racism and racial discrimination, xenophobia and related intolerance is a priority task for the international community. ..." (Vienna Declaration of the World Conference on Human Rights, para. 15)

117. "All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.

> "2. All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or other beliefs in this matter." (Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, art. 4, para. 1)

118. "The World Conference on Human Rights calls upon all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and including the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion. ..." (Programme of Action of the World Conference on Human Rights, para. 22)

119. "Educational measures shall be taken among all sections of the national community, and in particular among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbour in respect of these peoples (indigenous). To this end, efforts shall be

made to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples." (Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries, art. 31; adopted on 27 June 1989 by the General Conference of the ILO at its seventy-sixth session)

120. "The principle of the equality in dignity and rights of all human beings and all peoples, irrespective of race, colour and origin, is a generally accepted and recognized principle of international law. Consequently any form of racial discrimination practiced by a State constitutes a violation of international law giving rise to international responsibility. ..." (Declaration on Race and Racial Prejudice, art. 9, para. 1)

121. "The World Conference on Human Rights urges all Governments to take immediate measures and to develop strong policies to prevent and combat all forms and manifestations of racism, xenophobia or related intolerance, where necessary by enactment of appropriate legislation, including penal measures, and by the establishment of national institutions to combat such phenomena." (Programme of Action of the World Conference on Human Rights, para. 20)

122. "All States shall take effective measures to revise governmental and other public policies and to rescind laws and regulations which have the effect of creating and perpetuating racial discrimination ... ." (United Nations Declaration on the Elimination of All Forms of Racial Discrimination, art. 4)

123. "In order to eliminate and prevent discrimination within the meaning of this Convention [against Discrimination in Education], the States Parties thereto undertake:

"(a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education;

"(b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;

"(c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, ...

"(d) Not to allow ... assistance, restrictions or preference based solely on the ground that pupils belong to a particular group;

"(e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals." (Convention against Discrimination in Education, art. 3)

124. "All individuals and groups have the right to be different, to consider themselves as different and to be regarded as such. However, the diversity of life styles and the right to be different may not, in any circumstances, serve as a pretext for racial prejudice; they may not justify either in law or in fact any discriminatory practice whatsoever, nor provide a ground for the policy of apartheid, which is the extreme form of racism. ... The differences between

the achievements of the different peoples are entirely attributable to geographical, historical, political, economic, social and cultural factors. Such differences can in no case serve as a pretext for any rank-ordered classification of nations or peoples." (Declaration on Race and Racial Prejudice, art. 1, paras. 2 and 5)

125. "Great importance must be given to the promotion and protection of the human rights of persons belonging to groups which have been rendered vulnerable, including migrant workers, the elimination of all forms of discrimination against them, and the strengthening and more effective implementation of existing human rights instruments. States have an obligation to create and maintain adequate measures at the national level, in particular in the fields of education, health and social support, for the promotion and protection of the rights of persons in vulnerable sectors of their populations and to ensure the participation of those among them who are interested in finding a solution to their own problems." (Vienna Declaration of the World Conference on Human Rights, para. 24)

126. "Recognizing that, consequently, the United Nations Educational, Scientific and Cultural Organization, while respecting the diversity of national educational systems, has the duty not only to prescribe any form of discrimination in education but also promote equality of opportunity and treatment for all in education. ..." (Preamble of the Convention against Discrimination in Education, para. 5)

127. "... particular attention should be paid to racial or ethnic groups which are socially or economically disadvantaged, so as to afford them, on a completely equal footing and without discrimination or restriction, the protection of the laws and regulations and the advantages of the social measures in force, in particular in regard to housing, employment and health; to respect the authenticity of their culture and values; and to facilitate their social and occupational advancement, especially through education. ..." (Declaration on Race and Racial Prejudice, art. 9, para. 2)

D. Equality before the law

128. "Everyone has the right to recognition everywhere as a person before the law." (Universal Declaration of Human Rights, art. 6)

129. "All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination." (Universal Declaration of Human Rights, art. 7)

130. "Considering that all human beings are equal before the law and are entitled to equal protection of the law against any discrimination and against any incitement to discrimination." (Preamble of the International Convention on the Elimination of All Forms of Racial Discrimination, para. 3)

131. "Everyone has the right to equality before the law and to equal justice under the law." (Declaration on the Elimination of All Forms of Racial Discrimination, art. 7, para. 1)

132. "Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law." (Universal Declaration of Human Rights, art. 8)

133. "Every State should provide an effective framework of remedies to redress human rights grievance or violations. The administration of justice, including law enforcement and prosecutorial agencies and, especially, an independent judiciary and legal profession in full conformity with applicable standards contained in international human rights instruments, are essential to the full non-discriminatory realization of human rights and indispensable to the processes of democracy and sustainable development." (Vienna Declaration of the World Conference on Human Rights, para. 27)

E. Gender equality

134. "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant." (International Covenant on Economic, Social and Cultural Rights, art. 3)

135. "The discrimination of which women are still victims in various regions of the world must be eliminated. An inferior status for women is contrary to the Charter of the United Nations as well as the provisions of the Universal Declaration of Human Rights. The full implementation of the Declaration on the Elimination of Discrimination against Women is a necessity for the progress of mankind ..." (Proclamation of Teheran, art. 15)

136. "Considering that discrimination against women is incompatible with human dignity and with the welfare of the family and of society, prevents their participation, on equal terms with men, in the political, social, economic and cultural life of their countries and is an obstacle to the full development of the potentialities of women in the service of their countries and of humanity ..." (Preamble of the Declaration on the Elimination of Discrimination against Women)

137. "Discrimination against women, denying or limiting as it does their equality of rights with men, is fundamentally unjust and constitutes an offence against human dignity." (Convention on the Elimination of All Forms of Discrimination against Women, art. 1)

138. "Governments should take active steps to implement the following:

"(a) Programmes to eliminate persistent negative images, stereotypes, attitudes and prejudices against women through changes in socialization patterns, the media, advertising, and formal and non-formal educations ..." (Agenda 21)

139. "All appropriate measures shall be taken to educate public opinion and to direct national aspirations towards the eradication of prejudice and the abolition of customary and all other practices which are based on the idea of the inferiority of women." (Convention on the Elimination of All Forms of Discrimination against Women, art. 3)

140. "States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men." (Convention on the Elimination of All Forms of Discrimination against Women, art. 3)

141. "States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;

(b) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all aspects of cultural life." (Convention on the Elimination of All Forms of Discrimination against Women, art. 13)

142. "The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community." (Vienna Declaration of the World Conference on Human Rights, para. 18)

143. "States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy ... States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas ...

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate health care facilities, including information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To obtain all types of training and education ...;

(e) To organize self-help groups and co-operatives ...;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlements schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications." (Convention on the Elimination of all Forms of Discrimination against Women, art. 14, paras. 1 and 2)

144. "National Governments should: ...

(d) Protect, recognize and formalize women's access to tenure and use of land, as well as rights to land, access to credit, technology, inputs and training ..." (Agenda 21)

145. "Sustainable development must be achieved at every level of society. ... Governments, in cooperation with appropriate international and non-governmental organizations, should support a community-driven approach to sustainability, which would include, inter alia:

(a) Empowering women through full participation in decision making ..." (Agenda 21)

146. "Governments should take active steps to implement the following:

"(a) Measures to review policies and establish plans to increase the proportion of women involved as decision makers, planners, managers, scientists and technical advisers in the design, development and implementation of policies and programmes for sustainable development;

"(b) Measures to strengthen and empower women's bureaux, women's non-governmental organizations and women's groups in enhancing capacity-building for sustainable development;

"(c) Measures to eliminate illiteracy among females and to expand the enrolment of women and girls in educational institutions, to promote the goal of universal access to primary and secondary education for girl children and for women, and to increase educational and training opportunities for women and girls in sciences and technology, particularly at the post-secondary level;" (Agenda 21)

147. "Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development." (Rio Declaration on Environment and Development, principle 20) Governments should ensure, for both women and men, equality before the law, the provision of facilities for equal educational opportunities and training, health services, equality in conditions and opportunities of employment, including remuneration, and adequate social security. Governments should undertake measures to implement the right of men and women to employment on equal conditions, regardless of marital status, and their equal access to the whole

range of social and economic activities; the equitable sharing between women and men of domestic, parental and family responsibilities is an essential aspect of progress in this area. ... the following global agenda and general Guiding Principles for social welfare and social development: ...

"(d) The equal rights of women and men in family matters must be reinforced and greater recognition given to achieving the equal participation of and equal benefits to women and men in all areas of social development within the framework of the national laws in accordance with the Nairobi Forward-looking Strategies ..." (Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, para. 19)

148. "States Parties shall accord to women equality with men before law. ..." (Convention on the Elimination of all Forms of Discrimination against Women, art. 15)

"(a) ... to equal treatment before the tribunals and all other organs administering justice; ...

"(c) Political rights, in particular the rights to participate in elections - to vote and to stand for election - on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

"(d) Other civil rights, in particular: ...

"(v) The right to own property alone as well as in association with other;

"(vii) The right to freedom of thought, conscience and religion;

"(viii) The right to freedom of opinion and expression;

"(e) Economic, social and cultural rights, in particular:

"(i) The rights to work, to free choice of employment, to just favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;

"(ii) The right to form and join trade unions;

"(iii) The right to housing;

"(iv) The right to public health, medical care, social security and social services;

"(v) The right to education and training; (International Convention on the Elimination of All Forms of Racial Discrimination, art. 5, paras. a, c, d and e; adopted by the General Assembly in resolution 2106 (XX) of 21 December 1965)

149. "Governments, with the assistance of and in cooperation with appropriate international, non-governmental and local community organizations, should establish measures that will directly or indirectly: ...

"(j) Implement, as a matter of urgency, in accordance with country-specific conditions and legal systems, measures to ensure that women and men have the same right to decide freely and responsibly on the number and spacing of their children and have access to the information, education and means, as appropriate, to enable them to exercise this right in keeping with their freedom, dignity and personally held values, taking into account ethical and cultural considerations. Governments should take active steps ... women-centred, women-managed, safe and effective reproductive health care and affordable, accessible services, as appropriate, for the responsible planning of family size ..." (Agenda 21, paras. 3.8 and 24.3)

150. "Women shall have the same rights as men to acquire, change or retain their nationality." (Convention on the Elimination of all Forms of Discrimination against Women, art. 5).

151. "1. ... particularly legislative measures, shall be taken to ensure to women, married or unmarried, equal rights with men in the field of civil law, and in particular:

"(a) The right to acquire, administer, enjoy, dispose of and inherit property, including property acquired during marriage;

"(b) The right to equality in legal capacity and the exercise thereof;

"(c) The same rights as men with regard to the law on the movement of persons.

"2. All appropriate measures shall be taken to ensure the principle of equality of status of the husband and the wife, and in particular:

"(a) Women shall have the same right as men to free choice of a spouse and to enter into marriage only with their free and full consent;

"(b) Women shall have equal rights with men during marriage and at its dissolution ..." (Declaration on the Elimination of Discrimination against Women, art. 6)

152. "... to ensure to girls and women, married or unmarried, equal rights with men in education at all levels ...

"(a) Equal conditions of access to, and study in ...;

"(b) The same choice of curricula, the same examinations, teaching staff with qualifications of the same standard, and school premises and equipment of the same quality, whether the institutions are co-educational or not;

"(c) Equal opportunities to benefit from scholarships and other study grants;

"(d) Equal opportunities for access to programmes of continuing education, including adult literacy programmes;

"(e) Access to educational information to help ensuring the health and well-being of families." (Declaration on the Elimination of Discrimination against Women, art. 9)

153. "Governments should take active steps to implement the following: ...

"(d) Programmes to promote the reduction of the heavy workload of women and girl children at home and outside through the establishment of more and affordable nurseries and kindergartens ... and the sharing of household tasks by men and women on equal basis ..." (Agenda 21, para. 24.3)

154. "... Governments should undertake measures to ... the equitable sharing between women and men of domestic, parental and family responsibilities ..." (Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future)

155. "Gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, are incompatible with the dignity and worth of the human person, and must be eliminated." (Vienna Declaration of the World Conference on Human Rights, para. 18)

156. "In particular, the World Conference on Human Rights stresses the importance of working towards the elimination of violence against women in public and private life, the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism." (Vienna Declaration of the World Conference on Human Rights, para. 38)

157. "States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. ..." (Declaration on the Elimination of Violence against Women, art. 4; adopted by the General Assembly in resolution 48/104 of 20 December 1993)

F. Participation

158. "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. ..." (Universal Declaration of Human Rights, art. 21)

159. "Every citizen shall have the right and the opportunity ... without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected ...;

(c) To have access, on general terms of equality, to public service in his country." (International Covenant on Civil and Political Rights, art. 25).

160. "States should encourage popular participation in all spheres as an important factor in development and in full realization of all human rights." (Declaration on the Right to Development, art. 8, para. 2)

161. "In applying the provisions of this Convention [on Indigenous and Tribal Peoples in Independent Countries], Governments shall:

"(a) Consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;

"(b) Establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them;

"(c) Establish means for the full development of these peoples' own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose. ..." (Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries, art. 6; adopted on 27 June 1989 by the General Conference of the ILO at its seventy-sixth session)

162. "Decentralization by devolving more decision making authority and responsibility down to the local level, by providing incentives and resources for initiatives by local communities, by enhancing their status and management capacity, including that of women, rather than relying on 'top-down' administrative mechanisms ..." (Den Bosch Declaration on Sustainable Agriculture and Rural Development, para. 1.23 (b); adopted by FAO/Netherlands Conference on Agriculture and the Environment, 19 April 1991)

163. "The role of non-governmental organizations as an important element in international co-operation in the implementation, monitoring and evaluation of social welfare policies and programmes is especially recognized and their efforts should be further encouraged, promoted and utilized, inter alia, by the United Nations." (Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, para. 7)

164. "Community-based services and programmes which respond to the special needs, problems, interests and concerns of young persons and which offer

appropriate counselling and guidance to young persons and their families should be developed, or strengthened where they exist." (United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines); adopted and proclaimed by the General Assembly in resolution 45/112 of 14 December 1990)

165. "Governments should take measures to:

"(a) Establish or enhance an existing dialogue with non-governmental organizations and their self-organized networks representing various sectors ...,

"(b) Encourage and enable partnership and dialogue between local non-governmental organizations and local authorities in activities aimed at sustainable development ..." (Agenda 21, para. 27.10)

166. "Social progress and development require the full utilization of human resources, including, in particular: ...

"(c) The active participation of all elements of society, individually or through associations, in defining and in achieving the common goals of development with full respect for the fundamental freedoms embodied in the Universal Declaration of Human Rights ..." (Declaration on Social Progress and Development, art. 5; proclaimed by the General Assembly in resolution 2542 (XXIV) of 11 December 1969)

167. "Governments, with the assistance of and in cooperation with appropriate international, non-governmental and local community organizations, should establish measures that will directly or indirectly: ...

"(d) Empower community organizations and people to enable them to achieve sustainable livelihoods; ...

"(h) Establish new community-based mechanisms and strengthen existing mechanisms to enable communities to gain sustained access to resources needed by the poor to overcome their poverty;

"(i) Implement mechanisms for popular participation - particularly by poor people, especially women - in local community groups, to promote sustainable development ..." (Agenda 21, para. 3.8)

168. "Governments at the appropriate level, with the support of the relevant international and regional organizations, should:

"(a) Adopt policies at the national level regarding a decentralized approach to land-resource management, delegating responsibility to rural organizations;

"(b) Create or strengthen rural organizations in charge of village and pastoral land management;

"(c) Establish and develop local, national and intersectoral mechanisms to handle environmental and developmental consequences of land

tenure expressed in terms of land use and land ownership. Particular attention should be given to protecting the property rights of women and pastoral and nomadic groups living in rural areas;

"(d) Create or strengthen village associations focused on economic activities of common pastoral interest (market gardening, transformation of agricultural products, livestock, herding, etc.);

"(e) Promote rural credit and mobilization of rural savings through the establishment of rural banking systems;

"(f) Develop infrastructure, as well as local production and marketing capacity, by involving the local people to promote alternative livelihood systems and alleviate poverty;

"(g) Establish a revolving fund for credit to rural entrepreneurs and local groups to facilitate the establishment of cottage industries/business ventures and credit for input to agropastoral activities." (Agenda 21, para. 12.28)

G. Culture

169. "Each culture has a dignity and value which must be respected and preserved.

> 2. Every people has the right and the duty to develop its culture. ..." (Declaration of the Principles of International Cultural Co-operation, art. I, paras. 1 and 2; proclaimed by the General Conference of UNESCO at its fourteenth session on 4 November 1966)

170. "Culture, as a product of all human beings and a common heritage of mankind, and education in its broadest sense, offer men and women increasingly effective means of adaptation, enabling them not only to affirm that they are born equal in dignity and rights, but also to recognize that they should respect the right of all groups to their own cultural identity and the development of their distinctive cultural life within the national and international contexts, it being understood that it rests with each group to decide in complete freedom on the maintenance, and, if appropriate, the adaptation or enrichment of the values which it regards as essential to its identity. ..." (Declaration on Race and Racial Prejudice, art. 5, para. 1)

H. Vulnerable groups

1. Minorities

171. "Considering the importance of the promotion and protection of the rights of persons belonging to minorities and the contribution of such promotion and protection to the political and social stability of the States in which such persons live, the World Conference on Human Rights reaffirms the obligation of States to ensure that persons belonging to minorities may exercise fully and

effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The persons belonging to minorities have the right to enjoy their own culture, to profess and practice their own religion and to use their own language in private and in public, freely and without interference or any form of discrimination." (Vienna Declaration of the World Conference on Human Rights, para. 19)

172. "The World Conference on Human Rights urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

> 27. Measures to be taken, where appropriate, should include facilitation of their full participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development in their country." (Programme of Action of the World Conference on Human Rights, paras. 26 and 27)

173. "States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity." (Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, art. 1; para. 1)

174. "In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language." (Convention on the Rights of the Child, art. 30)

2. Indigenous peoples

175. "The World Conference on Human Rights recognizes the inherent dignity and unique contribution of indigenous peoples to the development and plurality of society and strongly reaffirms the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development. States should ensure the full and free participation of indigenous peoples in all aspects of society, in particular in matters of concern to them. Considering the importance of the promotion and protection of the rights of indigenous peoples, and the contribution of such promotion and protection to the political and social stability of the States in which such people live, States should, in accordance with international law, take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous peoples, on the basis of equality and non-discrimination, and recognize the value and diversity of their distinct identities, cultures and social organization." (Vienna Declaration of the World Conference on Human Rights, para. 20)

176. "The World Conference on Human Rights urges States to ensure the full and free participation of indigenous peoples in all aspects of society, in particular in matters of concern to them." (Programme of Action of the World Conference on Human Rights, para. 31)

177. "In full partnership with indigenous people and their communities, Governments and, where appropriate, intergovernmental organizations should aim at fulfilling the following objectives: ...

"(b) Establishment, where appropriate, of arrangements to strengthen the active participation of indigenous people and their communities in the national formulation of policies, laws and programmes relating to resource management and other development processes that may affect them, and their initiation of proposals for such policies and programmes; ..." (Agenda 21, para. 26.3)

178. "Indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development." (Rio Declaration on Environment and Development, principle 22)

179. "Governments shall have the responsibility for developing, with the participation of the peoples concerned, coordinated and systematic action to protect the rights of these peoples (indigenous) and to guarantee respect for their integrity. Such action shall include measures for: Ensuring that members of these peoples benefit on equal footing from the rights and opportunities which national laws and regulations grant to other members of the population; promoting the full realization of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions; assisting the members of the peoples concerned to eliminate socio-economic gaps that may exist between indigenous and other members of the national community, in a manner compatible with their aspirations and ways of life." (Convention concerning Indigenous and Tribal Peoples in Independent Countries, art. 2; adopted by the General Conference of the ILO, 1988)

180. "The peoples concerned shall be safeguarded against the abuse of their rights and shall be able to take legal proceedings, either individually or through their representative bodies ..." (Convention concerning Indigenous and Tribal Peoples in Independent Countries, art. 12)

3. Migrant workers and aliens

181. "Population groups of foreign origin, particularly migrant workers and their families who contribute to the development of the host country, should benefit from appropriate measures designed to afford them security and respect for their dignity and cultural values and to facilitate their adaptation to the host environment and their professional advancement with a view to their subsequent reintegration in their country of origin and their contribution to

its development; ... . (Declaration on Race and Racial Prejudice, art. 9, para. 3; adopted and proclaimed by the General Conference of UNESCO at its twentieth session, on 27 November 1978)

182. "The adoption of measures and the provision of social welfare services to migrant workers and their families, in conformity with the provisions of Convention No. 97 of the International Labour Organization and other international instruments relating to migrant workers ..." (Declaration on Social Progress and Development, art. 19 (c))

183. "... The World Conference on Human Rights urges all States to guarantee the protection of the human rights of all migrant workers and their families."

> "34. The World Conference on Human Rights considers that the creation of conditions to foster greater harmony and tolerance between migrant workers and the rest of the society of the State in which they reside is of particular importance." (Programme of Action of the World Conference on Human Rights, paras. 33-34)

184. "With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided ..." (International Convention on the Protection of Rights of All Migrant Workers and their Families, art. 27, para. 1)

185. "Recalling that one of the objectives of the International Labour Organization, as stated in its Constitution, is the protection of the interests of workers when employed in countries other than their own ..." (Preamble of the International Convention on the Protection of Rights of All Migrant Workers and their Families)

186. "The right to life of migrant workers and members of their families shall be protected by law." (International Convention on the Protection of Rights of All Migrant Workers and their Families, art. 9)

187. "Migrant workers and members of their families shall have the right to freedom of thought, conscience and religion. ..." (International Convention on the Protection of Rights of All Migrant Workers and their Families, art. 12, para. 1)

188. "Migrant workers and members of their families shall have the right to hold opinions without interference.

> "2. Migrant workers and members of their families shall have the right to freedom of expression ..." (International Convention on the Protection of Rights of All Migrant Workers and their Families, art. 13, para. 1)

189. "States Parties recognize the right of migrant workers and members of their families:

> "(a) To take part in meetings and activities of trade unions ...;

"(b) To join freely any trade union ...;

"(c) To seek the aid and assistance of any trade union of any such association as aforesaid." (International Convention on the Protection of Rights of All Migrant Workers and their Families, art. 26, para. 1)

190. "Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. ..." (International Convention on the Protection of Rights of All Migrant Workers and their Families, art. 28, para. 1)

191. "States Parties, recognizing that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, shall take appropriate measures to ensure the protection of the unity of the families of migrant workers. ..." (International Convention on the Protection of Rights of All Migrant Workers and their Families, art. 44, para. 1)

192. "Without prejudice to article 79 of the present Convention, the States Parties concerned shall as appropriate consult and co-operate with a view to promoting sound, equitable and humane conditions in connection with international migration of workers and members of their families. In this respect, due regard shall be paid not only to labour needs and resources, but also to the social, economic, cultural and other needs of migrant workers and members of their families involved, as well as to the consequences of such migration for the communities concerned." (International Convention on the Protection of Rights of All Migrant Workers and their Families, art. 64, para. 1)

193. "States Parties shall take measures not less favourable than those applied to nationals to ensure that working and living conditions of migrant workers and members of their families in a regular situation are in keeping with the standards of fitness, safety, health and principles of human dignity." (International Convention on the Protection of Rights of All Migrant Workers and their Families, art. 70, para. 1)

194. "Aliens shall enjoy, in accordance with domestic law and subject to the relevant international obligation of the State in which they are present, in particular the following rights:

> "(c) The right to be equal before the courts, tribunals and all other organs and authorities administering justice and, when necessary, to free assistance of an interpreter in criminal proceedings and, when prescribed by law, other proceedings ..." (Declaration on the Human Rights of Individuals Who are Not Nationals of the Country in which They Live, art. 5, para. 1; adopted by the General Assembly in resolution 40/144 of 13 December 1985)

195. "Aliens lawfully residing in the territory of a State shall also enjoy, in accordance with national laws, the following rights ...:

"(a) The right to safe and healthy working conditions, to fair wages and equal remuneration for work of equal value without distinction of any kind, in particular, women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;

"(b) The right to join trade unions and other organizations or associations of their choice and to participate in their activities. No restrictions ... other than those prescribed by law and which are necessary, in a democratic society, in the interests of national security or public order or for the protection of the rights and freedoms of others;

"(c) The right to health protection, medical care, social security, social services, education, rest and leisure, provided that they fulfil the requirements under the relevant regulations for participation and that undue strain is not placed on the resources of that State. ..." (Declaration on the Human Rights of the Individuals Who are not Nationals of the Country in which They Live, art. 8, para. 1)

4. Refugees

196. "The contracting parties shall accord to a refugee treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances ..." (Convention relating to the Status of Refugees, art. 13; adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950)

197. "The Contracting States shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals." (Convention relating to the Status of Refugees, art. 23)

198. "To acknowledge that reunification of families constitutes a fundamental principle in regard to refugees and one which should be the basis for the regime of humanitarian treatment in the country of asylum, as well as for facilities granted in cases of voluntary repatriation." (Cartagena Declaration on Refugees, para. 13; adopted by the Cartagena Colloquium on 22 November 1984)

199. "... Refugees who voluntarily return to their country shall in no way be penalized for having left it for any of the reasons giving rise to refugee situations." (OAU Convention governing the Specific Aspects of Refugee Problems in Africa, art. V; adopted by the Assembly of Heads of State and Government at its sixth ordinary session (Addis Ababa, 10 September 1969)

200. "The Contracting States shall accord to refugees lawfully staying in their territory the same treatment as is accorded to nationals in respect of the following matters:

"(a) In so far as such matters are governed by laws or regulations or are subject to the control of administrative authorities: remuneration, including family allowances where these form part of remuneration, hours of

work, overtime arrangements, holidays with pay, restrictions on home work, minimum age of employment, apprenticeship and training, women's work and the work of young persons, and the enjoyment of the benefits of collective bargaining;

"(b) Social security ..." (Convention relating to the Status of Refugees, art. 24, para. 1)

5. Children

201. "Every State should give a high priority to family and child welfare." (Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally).

202. "Every child shall have, without any discrimination ... the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State." (International Covenant on Civil and Political Rights, art. 24)

203. "The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration." (Declaration on the Rights of the Child, principle 2)

204. "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration." (Convention on the Rights of the Child, art. 3, para. 1)

205. "The child shall be protected from practices which may foster racial religious and any other form of discrimination." (Declaration on the Rights of the Child, principle 10)

206. "Humanitarian norms should be implemented and measures taken in order to protect and facilitate assistance to children in war zones" (Programme of Action of the World Conference on Human Rights)

207. "States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference." (Convention on the Rights of the Child, art. 8, para. 1)

208. "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child." (Convention on the Rights of the Child, art. 12, para. 1)

209. "The child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages ... which will promote his general culture and enable him, on a basis of equal opportunity, to develop his abilities, his individual judgment, and his sense of moral and social responsibility, and to become a useful member of society." (Declaration on the Rights of the Child, principle 7)

210. "States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health ..." (Convention on the Rights of the Child, art. 24, para. 1)

211. "The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health; to this end, special care and protection shall be provided both to him and to his mother, including adequate prenatal and post-natal care. The child shall have the right to adequate nutrition, housing, recreation and medical services." (Declaration on the Rights of the Child, principle 4)

212. "Emphasis should be placed on preventive policies facilitating the successful socialization and integration of all children and young persons, in particular through the family, the community, peer groups, schools, vocational training and the world of work, as well as through voluntary organizations. Due respect should be given to the proper personal development of children and young persons, and they should be accepted as full and equal partners in socialization and integration processes." (United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines) para. 10)

6. Youth

213. "The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development ..." (Rio Declaration on Environment and Development, principle 21)

214. "The aspirations of the younger generation for a better world, in which human rights and fundamental freedoms are fully implemented, must be given the highest encouragement. It is imperative that youth participate in shaping the future of mankind ..." (Proclamation of Teheran, art. 17)

215. "Young people shall be brought up in the spirit of peace, justice, freedom, mutual respect and understanding in order to promote equal rights for all human beings and all nations, economic and social progress, disarmament and the maintenance of international peace and security." (Declaration on Promoting among Youth the Ideals of Peace, Mutual Respect and Understanding between Peoples, principle I; proclaimed by the General Assembly in resolution 2037 (XX) of 7 December 1965)

216. "Educations systems should, in addition to their academic and vocational training, devote particular attention to the following: ...

"(e) Encouragement of young persons to understand and respect diverse views and opinions, as well as cultural and other differences;

"(f) Provision of information and guidance regarding vocational training, employment opportunities and career development;

"(g) Provision of positive emotional support to young persons and the avoidance of psychological maltreatment; ...

Educational systems should extend particular care and attention to young persons who are at social risk. ... Special attention should be given to comprehensive policies and strategies for the prevention of alcohol, drug and other substance abuse by young persons. ... Through a variety of educational programmes, teachers and other adults and the student body should be sensitized to the problems, needs and perceptions of young persons, particularly those belonging to underprivileged, disadvantaged, ethnic or other minority and low income groups." (United Nations Guidelines for the Prevention of Juvenile Delinquency, paras. 21, 24, 25, 27)

217. "... Young persons should have an active role and partnership within society and should not be considered as mere objects of socialization or control." (United Nations Guidelines for the Prevention of Juvenile Delinquency para. 3)

218. "Wherever possible, juveniles should be provided with the opportunity to perform remunerated labour, if possible within the local community, as a complement to the vocational training provided in order to enhance the possibility of finding suitable employment when they return to their communities (United Nations Rules for the Protection of Juveniles deprived of their Liberty, para. 45; adopted by the General Assembly in resolution 45/113 of 14 December 1990)

219. "Competent authorities should provide or ensure services to assist juveniles in re-establishing themselves in society and to lessen prejudice against such juveniles. ..." (United Nations Rules for the Protection of Juveniles deprived of their Liberty, para. 80)

7. Older people

220. "An important objective of socio-economic development is an age-integrated society, in which age discrimination and involuntary segregation are eliminated and in which solidarity and mutual support among generations are encouraged." (Vienna International Plan of Action on Ageing, para. 25 (h))

221. "It is imperative that, when considering the question of aging, the situation of the elderly should not be considered separate from the overall socio-economic conditions prevailing in society. The elderly should be viewed as an integral part of the population. They should also be considered within the framework of population groups such as women, youth, the disabled, and migrant workers. The elderly must be considered an important and necessary

element in the development process at all levels within a given society ..." (Vienna International Plan of Action on Ageing, para. 31 (g))

222. "Older persons should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their well-being and share their knowledge and skills with younger generations." (United Nations Principles for Older Persons, para. 7)

223. "Older persons should be able to pursue opportunities for the full development of their potential. Older persons should have access to the educational, cultural, spiritual and recreational resources of society. Older persons should be able to live in dignity and security and be free of exploitation and physical or mental abuse. Older persons should be treated fairly regardless of age, gender, racial or ethnic background, disability or other status, and be valued independently of their economic contribution." (United Nations Principles for Older Persons, para. 15)

224. "The focus of programmes in respect of the elderly should be on maintaining their human dignity, independent social functioning and links to the family and community. ..." (Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, para. 23)

225. "Governments are urged to adopt an age/family-integrated approach to planning and development which would recognize the specials needs and characteristics of older persons and their families. Older persons should be included in the governmental and other decision-making processes in the political, social, cultural and educational areas among others, and children should be encouraged to support their parents." (Vienna International Plan of Action on Ageing, recommendation 28)

226. "Social welfare services should have as their goal the creation, promotion and maintenance of active and useful roles for the elderly for as long as possible in and for the community." (Vienna International Plan of Action on Ageing, recommendation 30)

8. Disabled people

227. "The World Conference on Human Rights reaffirms that all human rights and fundamental freedoms are universal and thus unreservedly include persons with disabilities. Every person is born equal and has the same rights to life and welfare, education and work, living independently and active participation in all aspects of society. Any direct discrimination or other negative discriminatory treatment of a disabled person is therefore a violation of his or her rights. The World Conference on Human Rights calls on Government, where necessary, to adopt or adjust legislation to assure access to these and other rights for disabled persons." (Programme of Action of the World Conference on Human Rights)

228. "States will ensure that disability aspects are included in all relevant policy-making and national planning." (Standard Rules on the Equalization of Opportunities for Persons with Disabilities, Rule 14)

229. "States will participate in international cooperation concerning policies for the equalization of opportunities for persons with disabilities." (Standard Rules on the Equalization of Opportunities for Persons with Disabilities, Rule 22)

230. "The place of disabled persons is everywhere. Persons with disabilities should be guaranteed equal opportunity through the elimination of all socially determined barriers, be they physical, financial, social or psychological, which exclude or restrict full participation in society." (Programme of Action of the World Conference on Human Rights)

231. "Member States should ensure that disabled persons have equal opportunities to obtain all forms of income, maintenance thereof, and social security. ..." (World Program of Action concerning Disabled Persons, para. 117)

232. "States should ensure the provision of rehabilitation services to persons with disabilities in order for them to reach and sustain their optimum level of independence and functioning." (Standard Rules on the Equalization of Opportunities for Persons with Disabilities, Rule 3; adopted by the General Assembly in resolution 48/96 of 20 December 1993)

233. "Member States should increase their assistance to organizations of disabled persons and help them organize and coordinate the representation of the interests and concerns of disabled persons. Member States are encouraged to provide for all people the health care and related services needed to eliminate or reduce the disabling effects of impairment." (World Programme of Action concerning Disabled Persons, para. 128)

234. "1. The mentally retarded person has, to the maximum degree of feasibility, the same rights as other human beings. ... 3. The mentally retarded person has a right to economic security and to a decent standard of living. He has a right to perform productive work or to engage in any other meaningful occupation to the fullest possible extent of his capabilities. ... 5. The mentally retarded person has a right to protection from exploitation, abuse and degrading treatment. If prosecuted for any offence, he shall have a right to due process of law with full recognition being given to his degree of mental responsibility. ..." (Declaration on the Rights of Mentally Retarded Persons; proclaimed by the General Assembly in resolution 2856 (XXVI) of 20 December 1971)

VII. MONITORING

235. The International Covenant on Economic, Social and Cultural Rights establishes, in articles 16-22, a mechanism of reports that States Parties undertake to submit on measures adopted and progress made in achieving observance of rights recognized in that Covenant. States may also indicate factors and difficulties affecting the degree of fulfilment of obligations.

Reports are to be submitted to the Secretary-General of the United Nations who shall transmit copies to the Economic and Social Council and to specialized agencies if the country that provides the report is a member of those agencies and if the report, or parts of it, relate to any matters which fall within the responsibilities of the said agencies.

236. The Economic and Social Council may transmit to the Commission on Human Rights for study, general recommendation or information reports concerning human rights submitted by States and by specialized agencies. It may also submit to the General Assembly reports with recommendations of a general nature and a summary of the information received from States Parties and specialized agencies on the measures taken and the progress made in achieving general observance of the rights recognized in the above-mentioned Covenant. The Council may bring to the attention of other organs of the United Nations, their subsidiary organs and specialized agencies matters arising from the reports which may assist them in deciding, each within its field of competence, on the advisability of international measures likely to contribute to the effective progressive implementation of rights.

237. In 1978, the Economic and Social Council established a sessional working group to assist it in considering the reports submitted by States Parties. In 1985, by Council resolution 1985/17, the working group was transformed into the Committee on Economic, Social and Cultural Rights.

238. By virtue of the mandate conferred upon it by the Council, the Committee considers the reports submitted by States parties (at present, 129) on the extent to which they have succeeded in giving effect to each of the rights recognized in the Covenant, including the right to reasonable working conditions, social security, food, housing, health, education and culture. The Committee submits to the Council a report on its activities, which contains, inter alia, its concluding observations relating to each State party's report and suggestions and recommendations of a general nature, formulated on the basis of its consideration of those reports and of the reports submitted by the specialized agencies. This also assists the Council in fulfilling its responsibilities under articles 21 and 22 of the Covenant.

239. The International Covenant on Civil and Political Rights, in articles 28-45, provides for the establishment of a Human Rights Committee which considers the reports submitted by States Parties on the measures adopted which give effect to the rights recognized by the Covenant and on the progress made in the enjoyment of those rights. Copies of parts of those reports, as they may fall within the field of competence of specialized agencies, can be transmitted to them by the Secretary-General, after consultation with the Committee. After studying the reports submitted by States Parties, the Committee transmits its views and comments to States Parties and, if appropriate, to the Economic and Social Council.

240. A State Party to the International Covenant on Civil and Political Rights may submit a claim that another State Party is not fulfilling its obligations under the Covenant, providing that both States concerned have declared that they recognize the competence of the Committee in this regard. The State making the claim should first transmit its claim to the other State, which should provide

an explanation. If the question is not resolved, either State can refer it to the Committee. If the Committee cannot resolve the matter, it may with the prior consent of the parties, appoint an ad hoc conciliation commission. To date, the possibility of conciliation has not been invoked.

241. States Parties to the Optional Protocol to the International Covenant on Civil and Political Rights recognize the competence of the Human Rights Committee to receive and consider communications from individuals subject to their jurisdiction who claim to be victims of a violation by the State in question. Providing that the individual has exhausted all available domestic remedies, the Committee will receive the report and transmit it to the State concerned, which must submit an explanation to the Committee. The Committee submits an annual report on its activities to the General Assembly, through the Economic and Social Council.

242. The International Convention on the Elimination of All Forms of Racial Discrimination, in articles 8-16, establishes a Committee on the Elimination of Racial Discrimination, which is similar in organization and procedures to the Human Rights Committee established by the International Covenant on Civil and Political Rights. The Committee reports on its activities to the General Assembly.

243. The Constitution of the International Labour Organization provides for regular monitoring of the application of ILO Conventions by means of reports from Governments, together with ad hoc supervision in the event of representations or complaints submitted to the International Labour Office. It also establishes a procedure for supervising unratified Conventions and recommendations. This is the case of the Convention (No. 111) concerning Discrimination in Respect of Employment and Occupation, which provides for submission by members of annual reports concerning the application of the Convention (art. 3 f).

244. Technical supervision is carried out by the Committee of Experts on the Application of Conventions and Recommendations. They examine reports from employers and workers' organizations and provide "observations" that are submitted to the ILO annual Conference.

245. The ILO Conference Committee on Standards also provides an opportunity for direct dialogue between Governments, employers and workers.

246. The ILO Constitution provides for a "representation procedure" including the establishment of a tripartite committee to address failures by Governments in implementing Conventions. There is also provision for a "complaints procedure" through which an ILO member State may indicate that in its opinion another member State has not adopted the necessary measures to give proper effect to a Convention ratified by both members. The governing body can also initiate such procedures. The matter is submitted to a commission of inquiry appointed for each case, and its decision can be challenged before the International Court of Justice. The enforcement of measures adopted can be carried out by the governing body.

247. A further procedure, under article 19 of the ILO Constitution, provides for general surveys each year by the Committee of Experts on instruments selected by the governing body, containing an analysis of national laws and practices and their consistency with the instruments in question.

248. There are a number of special procedures for complaints concerning freedom of association, involving both the ILO and the Economic and Social Council, which can be initiated against a State that has not ratified the relevant convention, and a procedure for equal treatment questions which enables the Director General to undertake special studies on discrimination in employment.

249. Finally, direct contacts can be established between the ILO Director General and Governments to examine how to overcome difficulties in applying a ratified Convention or observing constitutional obligations regarding standards. The Governments must make a request for that procedure.

250. The Convention against Discrimination in Education requests that States Parties present periodic reports on legislative and administrative provisions adopted or actions taken for the application of the Convention (art. 7).

251. The Convention on the Elimination of Discrimination against Women establishes a committee on the subject and requires that States Parties submit to the Secretary-General of the United Nations, for consideration by that committee, periodic reports on the legislative, judicial, administrative or other measures that they adopt to give effect to its provisions and to provide information on the progress made in its implementation. Those reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the Convention. The committee may also invite the specialized agencies to submit reports on the implementation of the Convention.

252. The committee reports annually to the General Assembly through the Economic and Social Council. The Secretary-General also transmits the reports of the committee to the Commission on the Status of Women.

253. The Convention on the Rights of the Child establishes a committee on the subject, and States Parties undertake to submit, through the Secretary-General, periodic reports on the measures they have adopted which give effect to the rights recognized by it and on the progress made on the enjoyment of those rights. Those reports should indicate factors and difficulties affecting the degree of fulfilment of the obligations under the Convention and should contain sufficient information to provide the committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

254. The committee submits biennial reports on its activities to the General Assembly through the Economic and Social Council. Specialized agencies, UNICEF and other United Nations organs are entitled to be represented at the consideration of the implementation of such provision of the Convention as fall within the scope of their mandate. The committee can refer to them reports from States that contain a request, or indicate a need, for technical advice or assistance.

255. The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families establishes a committee to review its application. States Parties to the Convention undertake to submit periodic reports on legislative, judicial, administrative and other measures they have taken to give effect to its provisions, to indicate factors and difficulties, if any, affecting its implementation, and to include information on the characteristics of migration flows in which the State Party is concerned. The Convention has not yet entered into force.

256. The committee may transmit to a country comments made by other countries. Its procedures are similar to those of the International Covenant on Civil and Political Rights and its Optional Protocol.

257. The Standard Rules on the Equalization of Opportunities for Persons with Disabilities provides for a monitoring mechanism consisting of a special rapporteur who prepares reports for submission to the Commission for Social Development based on information provided by States, on request. At its thirty-fourth session (1995), the Commission for Social Development is to establish an open-ended working group to examine the special rapporteur's report and make recommendations on how to improve the application of the Standard Rules.

258. At the end of the term of appointment of the special rapporteur, the Commission may renew the appointment, appoint a new rapporteur or consider another monitoring mechanism. The Commission can submit recommendations to the Economic and Social Council.

VIII. INTERNATIONAL INSTRUMENTS

259. Listed below are relevant international instruments and conventions, conventions adopted by the General Conference of the International Labour Organization, and strategies, principles and standards adopted within the framework of the United Nations.

A. Declarations and programmes of action

1. Universal Declaration of Human Rights, adopted and proclaimed by the General Assembly in resolution 217 A (III) of 10 December 1948

2. Proclamation of Teheran, proclaimed by the International Conference on Human Rights at Teheran on 13 May 1968

3. Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, 14-25 June 1993, Vienna, Austria

4. International Covenant on Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights, adopted and opened for signature, ratification and accession by the General Assembly in resolution 2200 A (XXI) of 16 December 1966

5. Declaration on Social Progress and Development, proclaimed by the General Assembly in resolution 2542 (XXIV) of 11 December 1969

6. Declaration of Philadelphia, adopted by the General Conference of ILO, at its twenty-sixth session on 10 May 1944

7. Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, adopted by the General Assembly in resolution S-18/3 of 1 May 1990

8. Declaration on the Right to Development, adopted by the General Assembly in resolution 41/128 of 4 December 1986

9. Rio Declaration on Environment and Development and Agenda 21: Programme of Action for Sustainable Development, adopted by the United Nations Conference on Environment and Development (UNCED), 3-14 June 1992, Rio de Janeiro, Brazil

10. Paris Declaration and Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, Paris, France, 3-14 September 1990

11. Declaration of the Principles of International Cultural Co-operation, proclaimed by the General Conference of UNESCO at its fourteenth session, on 4 November 1966

12. Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief, proclaimed by the General Assembly in resolution 36/55 of 25 November 1981

13. United Nations Declaration on the Elimination of All Forms of Racial Discrimination, proclaimed by the General Assembly in resolution 1904 (XVIII) of 20 November 1963

14. Declaration on Race and Racial Prejudice, adopted and proclaimed by the General Conference of UNESCO at its twentieth session, on 27 November 1978

15. Declaration on the Elimination of Discrimination against Women, proclaimed by the General Assembly in resolution 2263 (XXII) of 7 November 1967

16. Declaration on the Elimination of Violence against Women, adopted by the General Assembly in resolution 48/104 of 20 December 1993

17. Declaration on the Rights of the Child, proclaimed by the General Assembly in resolution 1386 (XIV) of 20 November 1959

18. Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally, adopted by the General Assembly in resolution 41/85 of 3 December 1986

19. Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the General Assembly in resolution 40/34 of 29 November 1985

20. Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live, adopted by the General Assembly in resolution 40/144 of 13 December 1985

21. Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, proclaimed by the General Assembly in resolution 2037 (XX) of 7 December 1965

22. International Plan of Action on Ageing, adopted by the World Assembly on Aging, 26 July-6 August 1982, Vienna, Austria

23. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the General Assembly in resolution 47/135 of 18 December 1992

24. Declaration on the Rights of Disabled Persons, proclaimed by the General Assembly in resolution 3447 (XXX) of 9 December 1975

25. World Programme of Action concerning Disabled Persons, adopted by the General Assembly in resolution 37/52 of 3 December 1982

26. Declaration on the Rights of Mentally Retarded Persons, proclaimed by the General Assembly in resolution 2856 (XXVI) of 20 December 1971

27. Cartagena Declaration on Refugees, adopted by the Cartagena Colloquium on Refugees for Central America, 19-22 November 1984, Colombia

28. Declaration of Barcelona on the Food Rights of Mankind, adopted by FAO, 7 March 1992, Barcelona, Spain

29. Den Bosch Declaration and Agenda for Action on Sustainable Agriculture and Rural Development, adopted by the FAO Conference on Agriculture and the Environment, Netherlands, 15-19 April 1991

30. Universal Declaration on the Eradication of Hunger and Malnutrition, adopted on 16 November 1974 by the World Food Conference convened under General Assembly resolution 3180 (XXVIII) of 17 December 1973 and endorsed by the General Assembly in resolution 3348 (XXIX) of 17 December 1974

31. World Food Security Compact, adopted by the General Conference of FAO, 1985, Rome, Italy

32. World Declaration and Plan of Action for Nutrition, adopted by FAO/WHO International Conference on Nutrition, December 1992, Rome, Italy

33. Declaration of Principles and Programme of Action of the World Conference on Agrarian Reform and Rural Development, adopted by the Conference held in Rome, 12-20 July 1979

B. Conventions adopted by the General Conference of the International Labour Organization

1. Convention (No. 26) on Minimum Wage Fixing Machinery, 1928

2. Convention (No. 29) on Forced Labor, 1930

3. Convention (No. 87) concerning Freedom and Protection of the Right to Organise, 1948

4. Convention (No. 88) on Employment Service, 1948

5. Convention (No. 97) on Migration for Employment, 1949

6. Convention (No. 98) on the Right to Organize and Collective Bargain, 1949

7. Convention (No. 100) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, 1951

8. Convention (No. 102) on Social Security (Minimum Standards), 1952

9. Convention (No. 105) concerning the Abolition of Forced Labor, 1957

10. Convention (No. 111) concerning Discrimination in respect of Employment and Occupation, 1958

11. Convention (No. 117) on Social Policy (Basic Aims and Standards), 1962

12. Convention (No. 118) on Equality of Treatment (Social Security), 1962

13. Convention (No. 122) on Employment Policy, 1964

14. Convention (No. 131) on Minimum Wage Fixing, 1970

15. Convention (No. 135) concerning Protection and Facilities to be afforded to Workers' representatives in the Undertaking, 1970

16. Convention (No. 138) on Minimum Age, 1973

17. Convention (No. 141) on Rural Workers' Organizations, 1975

18. Convention (No. 142) on Human Resources Development, 1975

19. Convention (No. 143) on Migrant Workers, 1975

20. Convention (No. 144) on the Tripartite Consultation (International Labour Standards), 1976

21. Convention (No. 151) concerning Protection of the Right to Organize and Procedures for Determining Conditions of Employment in the Public Service, 1980

22. Convention (No. 154) concerning the Promotion of Collective Bargaining, 1981

23. Convention (No. 158) on the Termination of Employment, 1982

24. Convention (No. 159) on Vocational Rehabilitation and Employment (Disabled Persons), 1983

25. Convention (No. 168) concerning Employment Promotion and Protection against Unemployment, 1988

26. Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries, 1989

27. Convention (No. 173) on the Protection of Workers' Claims, 1992

c. Other international conventions

1. Convention against Discrimination in Education, adopted on 14 December 1960 by the General Conference of UNESCO

2. Convention on the Political Rights of Women, opened for signature and ratification by the General Assembly in resolution 640 (VII) of 20 December 1952

3. Convention on the Elimination of All Forms of Discrimination against Women, adopted and opened for signature, ratification and accession by the General Assembly in resolution 34/180 of 18 December 1979

4. Convention on the Rights of the Child, adopted and opened for signature, ratification and accession by the General Assembly in resolution 44/25 of 20 November 1989

5. Convention relating to the Status of Refugees, adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950

6. OAU Convention governing the Specific Aspects of Refugee Problems in Africa, adopted by the Assembly of Heads of State and Government at its sixth ordinary session (Addis Ababa, 10 September 1969)

7. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted and opened for signature, ratification and accession by the General Assembly in resolution 39/46 of 10 December 1984

8. Geneva Convention relative to the Protection of Civilian Persons in Time of War, adopted on 12 August 1949 by the Diplomatic Conference for the Establishment of International Conventions for the Protection of Victims of War, held in Geneva from 21 April to 12 August 1949

9. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, adopted by the General Assembly in resolution 45/158 of 18 December 1990 (not in force)

D. Strategies, principles and standards adopted within the framework of the United Nations

1. International Development Strategy for the Fourth United Nations Development Decade, adopted by the General Assembly in resolution 45/199 of 21 December 1990

2. Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, adopted by the Interregional Consultation on Developmental Social Welfare Policies and Programmes, held in Vienna, Austria, 7-15 September 1987, and endorsed by the General Assembly on 7 December 1987 in resolution 42/125

3. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), adopted by the General Assembly in resolution 40/33 of 29 November 1985

4. United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), adopted by the General Assembly in resolution 45/112 of 14 December 1990

5. United Nations Rules for the Protection of Juveniles Deprived of their Liberty, adopted by the General Assembly in resolution 45/113 of 14 December 1990

6. United Nations Principles for Older Persons, adopted by the General Assembly in resolution 46/91 of 16 December 1991

7. Standard Rules on the Equalization of Opportunities for Persons with Disabilities, adopted by the General Assembly in resolution 48/96 of 20 December 1993

8. Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care, adopted by the General Assembly in resolution 46/119 of 17 December 1991

9. Basic Principles on the Independence of the Judiciary (Milan Plan of Action), adopted by the General Assembly in resolution 40/32 of 29 November 1985

10. Standard Minimum Rules for the Treatment of Prisoners, adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by Economic and Social Council resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977

11. Basic Principles for the Treatment of Prisoners, adopted by the General Assembly in resolution 45/111 of 14 December 1990

12. Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms, adopted by the General Conference of UNESCO at its eighteenth session on 19 November 1974